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F.#2010R _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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M -10 I327

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. § 841)

TERESA FRASCOGNA and

LeANTHONY BYRAMS,

Defendants.

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EASTERN DISTRICT OF NEW YORK, SS:

JASON FRAGIORGI, being duly sworn, deposes and states that he is a Special Agent with the Drug Enforcement Administration ("DEA"), duly appointed according to law and acting as such.

Upon information and belief, on or about and between September 28, 2010 and October 20, 2010, within the Eastern District of New York and elsewhere, the defendants TERESA FRASCOGNA and LeANTHONY BYRAMS together with others, did knowingly and intentionally distribute a controlled substance, which offense involved a substance containing OxyContin, a Schedule II controlled substance.

(Title 21, United States Code, Section 841(a)(1)).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

1. I have been a Special Agent with the DEA for approximately seven years. My information in this case comes from interviews, conversations with witnesses and other law enforcement officers, and my own participation in this investigation as an undercover agent.

2. On or about September 28, 2010, acting in an undercover capacity I purchased 75 tablets of OxyContin from the defendants TERESA FRASCOGNA and LeANTHONY BYRAMS at a Ruby Tuesdays restaurant in Selden, New York. To arrange that purchase, I exchanged multiple text messages with TERESA FRASCOGNA. I also participated in multiple telephone calls with TERESA FRASCOGNA and LeANTHONY BYRAMS to arrange the price, amount and timing of the September 28, 2010 purchase.

3. At the September 28, 2010 purchase, I witnessed TERESA FRASCOGNA take the tablets out of her purse while we were sitting at a table in the restaurant. They were concealed in a green plastic container. I took the container and handed TERESA FRASCOGNA approximately \$3,000.00 in United States currency. LeANTHONY BYRAMS was present at the table and watched this entire transaction.

4. After the September 28, 2010 purchase, the DEA laboratories confirmed that the tablets contained OxyContin. I also confirmed that the pills in the green-colored container bore the markings, color and shape of OxyContin.


5. On or about October 20, 2010, acting in an undercover capacity I purchased 80 tablets of OxyContin from the

defendants TERESA FRASCOGNA and LeANTHONY BYRAMS at the same Ruby Tuesdays restaurant in Selden, New York. To arrange that purchase, I again exchanged multiple text messages with TERESA FRASCOGNA. I also participated in multiple telephone calls with the defendants to arrange the price, amount and timing of the October 20, 2010 purchase.


6. At the October 20, 2010 purchase, I witnessed TERESA FRASCOGNA produce the tablets while we were sitting at a table in the restaurant. They were concealed in an amber-colored plastic container. I took the amber-colored container and handed TERESA FRASCOGNA approximately \$3,000.00 in United States currency. LeANTHONY BYRAMS was present at the table and watched this entire transaction.

7. After the October 20, 2010 purchase, I confirmed that the pills in the amber-colored container bore the markings, color and shape of OxyContin. DEA laboratories have not yet completed their testing.

WHEREFORE, your deponent respectfully requests that the defendants TERESA FRASCOGNA and LeANTHONY BYRAMS be dealt with according to law.


JASON FRAGTOROLI
Special Agent - DEA

Sworn to before me this
9th day of November, 2010

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THE HONORABLE A. KATHLEEN TOMLINSON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK